



DEPARTMENT OF STATE

Washington, D.C. 20520

May 15, 1981

MEMORANDUM OF LAW

SUBJECT: Circular 175 Procedure: Request for Authority to Negotiate and Conclude an Agreement with the Government of Swaziland to Establish a Bureau of the Foreign Broadcast Information Service (FBIS) in the Kingdom of Swaziland

In the accompanying memorandum, the Bureau of African Affairs requests authority, pursuant to Circular 175 procedures, for the negotiation of an agreement with the Government of Swaziland to establish a bureau of the Foreign Broadcast Information Service (FBIS) in the Kingdom of Swaziland. The memorandum recommends that the U.S. Ambassador to Swaziland be authorized to negotiate and conclude an exchange of notes on this subject.

The legal authority for the agreement contemplated is Section 102(d) of the National Security Act of 1947, 50 U.S.C. §403(d), National Security Council Intelligence Directive (NSCID) No. 2, and Section 1-8 of Executive Order 12036.

Section 102(d) of the National Security Act of 1947 sets out the general powers and duties of the Central Intelligence Agency which includes the duty "to perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct."

National Security Directive No. 2 provides the following:

"The Department of State shall have primary responsibility for, and shall perform as a service of common concern, the collection abroad, i.e., outside the United States and its possessions, of political, sociological, economic, scientific and technical information."

The proposed FBIS bureau in Swaziland is designed to improve political and economic reporting on Southern Africa.

State Dept. review completed